

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAOUL LAFOND,

Petitioner,

v.

WARDEN, FCI MENDOTA,

Respondent.

No. 2:22-cv-1093 AC P

ORDER

Petitioner, a federal prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. ECF No. 1. Petitioner has not, however, filed a complete in forma pauperis affidavit or paid the required filing fee (\$5.00). See 28 U.S.C. §§ 1914(a); 1915(a). See ECF No. 2. Specifically, petitioner has only submitted the first page of the in forma pauperis application. See id. Petitioner will be provided the opportunity to either submit the appropriate affidavit in support of a request to proceed in forma pauperis or submit the appropriate filing fee.

In addition, petitioner has requested the appointment of counsel. ECF No. 3. In support of the motion, petitioner states in part that he is indigent, that he is unversed in the law, and that English is not his first language. Id. Petitioner also states that he has minimal access to the law library and minimal writing supplies. Id. Currently, there exists no absolute right to appointment of counsel in habeas proceedings. See Nevius v. Sumner, 105 F.3d 453, 460 (9th Cir. 1996).

1 However, 18 U.S.C. § 3006A authorizes the appointment of counsel at any stage of the case “if
2 the interests of justice so require.” See Rule 8(c), Fed. R. Governing § 2254 Cases. In the
3 present case, the court does not find that the interests of justice would be served by the
4 appointment of counsel at the present time.

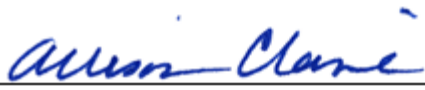
5 In accordance with the above, IT IS HEREBY ORDERED that:

6 1. Petitioner shall submit, within thirty days from the date of this order, a complete
7 affidavit in support of his request to proceed in forma pauperis or the appropriate filing fee;
8 petitioner’s failure to comply with this order will result in a recommendation that this action be
9 dismissed;

10 2. The Clerk of Court is directed to send petitioner a copy of the in forma pauperis form
11 used by this district; and

12 3. Petitioner’s motion for appointment of counsel (ECF No. 3) is DENIED without
13 prejudice to a renewal of the motion at a later stage of the proceedings.

14 DATED: June 28, 2022

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16 ALLISON CLAIRE
17 UNITED STATES MAGISTRATE JUDGE
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